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9	Attorneys for United States of America
10	UNITED STATES DISTRICT COURT
11	NORTHERN DISTRICT OF CALIFORNIA
12	SAN FRANCISCO DIVISION
13	UNITED STATES OF AMERICA,) No. 13-MJ-70291
14	Plaintiff,) MOTION AND [PROPOSED] ORDER
15	v.) FOR RELEASE
16	PEDRO TZIU-AKE,
17	Material Witnesses.
18)
19	The government hereby moves for an order releasing Pedro Tziu-Ake from the custody of
20	the United States Marshals Service.
21	Pedro Tziu-Ake was identified as a material witness in the matter of <i>United States v</i> .
22	Jeyser Ivan Tziu-Ake, 13-CR-00170 RS. This Court issued a material witness arrest warrant,
23	pursuant to Title 18, United States Code, section 3144, and an order to take a material witness
24	deposition, in accord with Federal Rule of Criminal Procedure 15. Pedro Tziu-Ake was
25 26	appointed counsel.
27	On March 21 and March 28, 2013, counsel for the government and for defendant Jeyser
28	Tziu-Ake conducted a deposition of Pedro Tziu-Ake. Pedro Tziu-Ake was present and
20	MOTION AND [PROPOSED] ORDER FOR RELEASE

represented by counsel during those proceedings.

On March 29, 2013, Pedro Tziu-Ake and Jeyser Tziu-Ake, represented by respective counsel, appeared before this Court. All parties confirmed that no further deposition of Pedro Tziu-Ake is requested. The government, therefore, moves that the United States Marshals Service be ordered to release Pedro Tziu-Ake from custody. A detainer, filed by Immigration and Customs Enforcement, is lodged and pending. A copy of that detainer is attached to this motion.

Dated: March 29, 2013 Respectfully submitted,

> **MEDLINDA HAAG** United States Attorney

/s/ **SUZANNE B. MILES** Assistant United States Attorney

(3-m) -7029/ MAG

[PROPOSED] ORDER

Upon the representation of the government and defendant Jeyser Tziu-Ake that the deposition of material witness Pedro Tziu-Ake has been completed and no need remains for the continued custody of the witness, the Court hereby orders Pedro Tziu-Ake released from the custody of the United States Marshals Service.

Dated: 4/1/2013

HON. NATHANAEL COUSINS United States Magistrate Judge

MOTION AND [PROPOSED] ORDER FOR RELEASE